

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

THEOPHILUS TARI AGEDAH,

Plaintiff

v.

U.S. DEPARTMENT OF
HOMELAND SECURITY, et al.

Defendants

3:20-CV-868
(JUDGE MARIANI)

FILED
SCRANTON

FEB 08 2022

Per. 
DEPUTY CLERK

ORDER

AND NOW, THIS 04 DAY OF FEBRUARY, 2022, upon review of

Magistrate Judge Mehalchick's Report and Recommendation ("R&R") (Doc. 48) for clear error or manifest injustice,¹ **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 48) is **ADOPTED** for the reasons set forth therein.²
2. Plaintiff's Motion for Summary Judgment (Doc. 34) is **DENIED**.
3. Defendants' Motion to Dismiss (Doc. 40) is **GRANTED**.
4. Plaintiff's Motion Requesting the Appointment of Counsel (Doc. 45) is **DENIED as moot**.

¹ Magistrate Judge Mehalchick's R&R was filed on December 20, 2021 (see Doc. 48) and Plaintiff's Objections were thus due on or before January 3, 2022. However, upon motion by Plaintiff (Doc. 49), the Court extended the time for the filing of Objections to February 4, 2022 (Doc. 50). Plaintiff has nonetheless failed to file any Objections to the pending R&R and the time for doing so has passed.

² The Court adopts the R&R on the principal basis that Plaintiff's claims are time-barred.

5. Plaintiff's Amended Complaint (Doc. 27) is **DISMISSED WITH PREJUDICE**.
6. The Clerk of Court is directed to **CLOSE** the above-captioned action.

A handwritten signature in black ink, appearing to read "R. D. Mariani", written over a horizontal line.

Robert D. Mariani
United States District Judge